

REMARKS

In the Office Action dated December 11, 2007, pending Claims 1-21 were rejected. Of these, Claims 1, 11 and 21 are independent claims; the remaining claims are dependent claims. In response, Applicants have filed this Amendment in which claims 1-6, 8, 11-16, 18 and 21 have been amended. Applicants respectfully request reconsideration and withdrawal of the outstanding rejections in view of the foregoing amendments and the following remarks.

It should be noted that Applicants are not conceding in this application the claims amended herein are not patentable over the art cited by the Examiner, as the present claim amendments are only for facilitating expeditious prosecution. Applicants respectfully reserve the right to pursue these and other claims in one or more continuations and/or divisional patent applications. Applicants specifically state no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Rejections under 35 USC 102

Claims 1- 21 stand rejected under 35 U.S.C. 102(b) as anticipated by Lenchik. Claims 1-21 stand rejected under 35 U.S.C. 102(e) as being anticipated by Parupudi. Applicants respectfully request reconsideration and withdrawal of these rejections.

As an initial matter, the Remarks submitted with Applicants previous amendment regarding Lenchik remain applicable and are therefore incorporated by reference as if fully set forth herein. As best understood, Lenchik teaches a method and apparatus for

selecting specific icons, all of which are normally available to the device, to display based upon a device's location, in order to facilitate use of numerous icons. *Lenchik*, Abstract.

As best understood, Parupudi teaches context aware and location aware cellular phones and methods for use thereof. *Parupudi*, Abstract. The teachings of Parupudi contemplate systems and methods for adapting behavior of computing devices (e.g. cell phones) based on location. Neither Lenchik nor Parupudi teach a distributed multi-modal computing system wherein resource configuration allows for, *inter alia*, utilization of the resources of other devices within the system and utilization of other factors than location. See *Specification*, pp. 4, lines 1-2; see also Claim 1.

This stands in stark contrast to the instantly claimed invention wherein a distributed multi-modal system allows a user device to be configured to the most appropriate mode of interaction with a system based upon contextual information, including the needs of a user and the resources that may be available to the mobile device within a given context (i.e. in the system). *Specification*, pp. 1, lines 4-6; pp. 4, lines 1-2; pp. 10, lines 108; see also Claim 1.

Nonetheless, solely in an effort to facilitate expeditious prosecution of the application, Applicants have amended the independent claims to recite, *inter alia*,

obtaining *contextual* information associated with a mobile device within the system; obtaining information associated with the system; configuring said at least one resource based upon the information associated with the mobile device and the system; wherein the resource is configured to provide the most appropriate mode of interaction for a user of the *mobile device within the system*; and wherein the mobile device is capable of

utilizing the resource based on the interaction needs of the user; *wherein the system is a multi-modal distributed computing system.*

Claim 21 (emphasis added). The remaining independent claims have been similarly amended. These amendments are intended to clarify that the instantly claimed invention is directed to a distributed multi-modal computing system for managing resources. The resource management is not so limited as to only consider the location of a device, but also contemplates taking various other context and situation specifics into account (e.g., what system resources, including those of other devices, are available to the mobile device).

Applicants believe that the independent claims are now allowable over the cited art. Applicants have additionally amended certain dependent claims which are patentable for the additional reasons given below.

Claim 2 (and associated method claim 12) have been amended to recite, *inter alia*,

wherein said contextual information associated with the mobile device further comprises information associated with the needs of the user of the mobile device, said information associated with the needs of the user comprising: preferences of the user, wherein said preferences of the user comprise: past instructions of the user; and a history of modifications employed by a user; and direct indications from the user.

These amendments are intended to clarify that the system may utilize information regarding the needs of a particular user as informed by user preferences or via direct indications made by the user. *Specification*, pp. 9, lines 1-18.

Claim 3 (and associated method claim 13) has been amended to recite, *inter alia*,

wherein said information associated with the system includes information associated with the capabilities of other devices located within the system, and further wherein said mobile device is adapted to utilize the capabilities of the other devices located within the system.

These amendments are intended to clarify that the capabilities of other system devices are available to the mobile device within the system in give contexts. *Specification*, pp. 10, lines 1-7.

Claim 5 (and associated method claim 15) have been amended to recite, *inter alia*,

wherein said user preferences are determined exclusively via historical data without reference to the specific context in which the mobile device is being used.

These amendments are intended to clarify that user preferences separate from context associated preferences may be utilized where appropriate by the system in determining the appropriate mode of the mobile device. *Specification*, pp. 9, lines 12-17.

Claims 6 and 8 (and associated method claims 16 and 18) have been amended to recite, *inter alia*,

wherein the at least one resource is configured is to allow the user operating an audio-only device to utilize a display resource of another device within the system. (Claim 6)

and

wherein the audio-only device is a mobile phone and the display device is a monitor in a conference room. (Claim 8).

These amendments are intended to give clarification to the fact that this is a distributed multi-modal computing system wherein the capabilities available

within the system inform the configuration of the resource of the mobile device.

Specification, pp. 10, lines 1-7.

Claims 4 and 14 have been amended to correct a typographical error.

Additionally, Applicants have added new claim 22 which recites, *inter alia*, “wherein said contextual information comprises: a date associated with the mobile device; and a time associated with the mobile device.” This claim is intended to clarify that the system is capable of utilizing contextual information in lieu of location in order to inform the management of system resources. *Specification*, pp. 13, lines 6-8.

Applicants have also added new dependent claim 22, which is also are patentable for reasons in addition to the independent claim from which it depends.

This newly present claims recites:

The system according to claim 1 wherein said contextual information comprises: a date associated with the mobile device; and a time associated with the mobile device.

Applicants respectfully submit that the foregoing amendments clearly distinguish the instantly claimed invention from both Lenchik and Parupudi. Therefore, Applicants respectfully request reconsideration of the rejections under 35 USC 102 using these references.

Rejections under 35 USC 103

Claims 1-5, 10, 11-15 and 20-21 stand rejected under 35 USC 103 as being unpatentable over Rankin in view of Sibal. Applicants respectfully request reconsideration and withdrawal of these rejections.

Applicants respectfully submit that the instantly claimed invention is patentable over Rankin in view of Sibal for the foregoing reasons (addressing Lenchik and Parupudi). None of these references, either alone or in any combination, render the instantly claimed invention obvious under 35 U.S.C. § 103.

As best understood, Sibal teaches multi-modal mode-swapping, wherein visual or voice mode (or some combination thereof) can be utilized, depending on upon the effectiveness of the communication. *Sibal*, Abstract. Rankin teaches transferring particular geographic related information to a mobile device based on location of the device. *Rankin*, Abstract.

Whether taken alone or in combination, none of these references, or any other reference cited by the Examiner, teaches, suggests, or motivates one of ordinary skill in the art to create a distributed multi-modal system wherein a device may have its available resources updated/configured based on the interaction needs of a user in a multi-modal distributed computing environment. *Specification*, page 10, lines 1-3. More specifically, the instantly claimed invention is capable of accommodating the information interaction needs of a user in a multi-modal distributed computing environment based upon location, device, available resource and other environmental factors. *Id* at lines 1-3.

Furthermore, the instantly claimed invention is capable of storing user preferences and interacting with other devices within the current locale. *Id* at page 9, lines 12-13; page 11, lines 1-7. Thus, resources can be configured accordingly, depending upon, *inter alia*, the device's interaction with the system network environment, *including other devices within that network*. *Id* at page 11, lines 1-7

Request for Telephone Interview

Applicants respectfully request that if after the Examiner has taken up and considered this Amendment, the Examiner determines there are still issues precluding the application from being in condition for allowance, the Examiner contact the undersigned at the telephone number listed below to schedule a telephone interview. Applicants submit that this is a particularly appropriate request in light of the prosecution history of this application.

Conclusion

In view of the foregoing, it is respectfully submitted that independent claims 1, 11, and 21 fully distinguish over the applied art and are thus in condition for allowance. By virtue of dependence from what are believed to be allowable independent claims, it is respectfully submitted that claims 2-10 and 12-22 are also presently allowable.

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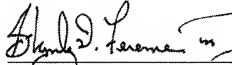
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In summary, it is respectfully submitted that the instant application, including claims 1-21, is presently in condition for allowance. Notice to the effect is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stanley D. Ference III", is written over a horizontal line.

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